

Message Text

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ACTION ARA-14

INFO OCT-01 ISO-00 IO-13 OES-07 CIAE-00 DODE-00 PM-05
H-01 INR-07 L-03 NSAE-00 NSC-05 PA-01 PRS-01
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E.O. 11652: N/A
TAGS: PBOR, AR, CI
SUBJECT: BEAGLE CHANNEL NEGOTIATIONS

REF: BUENOS AIRES 9366

1. ARGENTINE FOREIGN MINISTER MONTES MET WITH JUNTA MEMBERS YESTERDAY (DECEMBER 22) TO DISCUSS THE SECOND ROUND OF BEAGLE CHANNEL NEGOTIATIONS SCHEDULED WITH CHILEAN FOREIGN MINISTER CARVAJAL IN BUENOS AIRES DECEMBER 27. ON DECEMBER 17, MONTES SAID THAT HE WAS "RELATIVELY OPTIMISTIC" THAT AN ACCEPTABLE SOLUTION TO THE BEAGLE CHANNEL DISPUTE WOULD BE WORKED OUT IN BILATERAL TALKS WITH CHILE. PRESS FERVOR OVER THE MATTER HAS SUBSIDED AND THE MOOD HERE IS ONE OF CAUTIOUS OPTIMISM THAT ARGENTINA AND CHILE WILL SETTLE THE ISSUE AMICABLY AND WITHOUT RESORT TO THIRD PARTIES. LOCAL NEWSPAPERS ALSO REPORTED DECEMBER 17 THAT ADMIRAL MASSERA WILL TRAVEL TO USHUAIA NAVAL BASE IN TIERRA DEL FUEGO (NEAR THE BEAGLE CHANNEL AREA IN DISPUTE) DECEMBER 23-25 SPENDING CHRISTMAS EVE THERE. HE WILL REPORTEDLY BROADCAST AN ADDRESS TO THE NAVAL UNITS STATIONED IN

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SOUTHERN ARGENTINE DURING HIS STAY.

2. A MIDDLE GRADE ARGENTINE FOREIGN MINISTRY OFFICIAL REVEALED TO EMBASSY OFFICER DEC 19 THAT GOA CONTINUES TO BE "EXTREMELY NERVOUS" ABOUT THE BEAGLE CHANNEL RULING AND IS FRANTICALLY TRYING TO WORK OUT A COMPROMISE WITH CHILE BEFORE THE FEB 2 DEADLINE (TO ACCEPT OR REJECT THE ARBITRATION

RULING). ARGENTINA APPARENTLY BELIEVES IT IS FIGHTING AN UPHILL BATTLE AS CHILE HAS THE BENEFIT OF THE INTERNATIONAL RULING ON ITS SIDE, BUT THE OFFICIAL SAID GOA IS WILLING TO REJECT THE RULING ENTIRELY SHOULD CHILE'S INTERPRETATION IMPINGE UPON ARGENTINE SOVEREIGNTY. THE ARGENTINE POSITION IS BASED ON OPTIONS DEVELOPED BY THE FOREIGN MINISTRY AND PRESENTED TO THE JUNTA FOR MILITARY AND STRATEGIC INPUT AND FINAL APPROVAL. OPTIONS STILL UNDER CONSIDERATION INCLUDE REJECTION OF THE RULING, PARTIAL ACCEPTANCE AND REJECTION OF PARTS OF THE RULING WHICH DEAL WITH AREAS NOT SUBMITTED FOR ARBITRATION (SUCH AS THE COURT'S FINDINGS ON THE MOUTH OF THE MAGELLAN STRAITS) AND ACCEPTANCE OF THE RULING PRIOR AGREEMENT WITH CHILE ON THE MARITIME BOUNDARIES IN THE SOUTHERN ATLANTIC. ARGENTINA HAS CONSIDERED THE POLITICAL COST OF REJECTING THE RULING, AND HAS APPARENTLY DECIDED THAT CHILE IS NOT IN A POSITION TODAY TO GARNER MUCH INTERNATIONAL SUPPORT FOR ITS CLAIM. ARGENTINA IS BRINGING THE FULL RANGE OF ITS MILITARY AND ECONOMIC INFLUENCE TO BEAR ON CHILE AND BELIEVES BOTH COUNTRIES AGREE IT WOULD BE SENSELESS TO PERMIT THE DISPUTE TO ESCALATE.

3. THE OFFICIAL CLAIMED THAT ARGENTINA'S HISTORICAL ARGUMENTS CLEARLY JUSTIFIED ITS CLAIM IN THE BEAGLE CHANNEL DISPUTE BUT THAT THE JUDGES CHOSE TO IGNORE THE HISTORICAL PROOFS IN FAVOR OF CHILE'S DE FACTO OCCUPATION OF THE THREE CHANNEL ISLANDS. HE SAID EVEN THE CHILEAN RECOGNIZE THE LIMITED OFFICIAL USE

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VALIDITY OF ARGENTINA'S HISTORICAL ARGUMENTS, WHICH IS WHY THEY ARE NOT MAKING A MAJOR ISSUE OF IT AT HOME AND ARE LIKELY TO BE RECEPTIVE TO ARGENTINE VIEWS IN THE SUBSEQUENT INTERPRETATION OF THE RULING. HE ALSO SAID THAT THERE REMAIN A NUMBER OF OUTSTANDING CLAIMS IN THE SOUTHERN ATLANTIC AND IDEALLY THE PRESENT NEGOTIATIONS WILL CONSIDER DEFINITE MARITIME BOUNDARIES TO RESOLVE THE TERRITORIAL QUESTIONS ONCE AND FOR ALL. FINALLY, HE ADDED THAT ARGENTINA'S DEFINITION OF THE PACIFIC-ATLANTIC OCEAN BOUNDARY IS SUPPORTED BY AN INTERNATIONAL SEA BOUNDARIES COMMISSION HEADQUARTERED IN EUROPE AND THAT CHILE WOULD NOT BE ABLE TO ARGUE THAT BOUNDARY FURTHER EASTWARD TO SUIT ITS OWN PURPOSES.

6. COMMENT: THE MINISTRY OFFICIAL, WHO SPENT FIVE YEARS WORKING ON THE ARBITRATION CASE, WAS UNDERSTANDABLY DEFENSIVE, AND ULTIMATELY HOPEFUL THAT THE DAMAGE DONE BY THE ADVERSE RULING COULD BE MINIMIZED BY THE PRESENT NEGOTIATIONS. HE SAID THAT ALL THREE SERVICES WERE EQUALLY COMMITTED TO AN ACCEPTABLE OUTCOME AND THAT THE MILITARY WAS TAKING CARE TO AVOID COUNTER-PRODUCTIVE CONFRONTATIONAL TACTICS WITH THE CHILEANS. THOUGH HE ALSO NOTED THAT PRESS SENSATIONALISM

OVER THE MATTER WAS "THE UNFORTUNATE RESULT OF A FREE PRESS
IN ARGENTINA - WHICH CHILE, OF COURSE, DOES NOT ENJOY" -
ONE MIGHT POINT OUT THAT ONCE SERIOUS HIGH LEVEL
NELGITATIONS BEGAN, THE STRIDENT PRESS DEBATE HERE
SUBSIDED RATHER QUICKLY.

7. IT REMAINS TO BE SEEN WHETHER MASSERA'S CHRISTMAS TRIP
SOUTH WILL BE USED TO EXPLOIT BEAGLE CHANNEL CONCERNS HERE.
CASTRO

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